IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Serial No:	09/977,552	)
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Filing Date:	October 15, 2001	)
		) **Appeal Brief**
Applicants:	Hank E. Millet, et al.	)
		)
Examiner:	Charles Grant Freay	)
		)
Group Art Unit:	3746	)
		)
Title:	COMPRESSOR CONTROL AND COMMUNICATION SYSTEM	)))
		)
Attorney Docket No:	0315-000487/DVA	)
		)

BRIEF ON BEHALF OF APPELLANTS

This is a brief in support of an appeal from the action of the Examiner dated October 22, 2008, rejecting claims 19-21, 26-28, 30, 32-34, 48, 56, 58, 66, and 69 of the present application. The Notice of Appeal was filed on January 22, 2009 with a Pre-Appeal Brief Request for Review. The Notice of Panel Decision from Pre-Appeal Brief Review was mailed August 4, 2009. Appellants hereby petition under the provisions of 37 C.F.R. § 1.136(a) for an extension of time for filing the present Appeal Brief and include a fee as set forth in 37 C.F.R. § 1.17(a) for such extension of time.

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I. <u>Real Party In Interest</u>

The real party in interest in the present application is Emerson Climate Technologies, Inc., who is the current assignee of the application.

II. <u>Related Appeals and Interferences</u>

There are no known related appeals, interferences, or judicial proceedings that relate to, that directly affect, that are directly affected by, or that otherwise have a bearing on the Board's decision in the present appeal.

III. <u>Jurisdictional Statement</u>

The Board of Patent Appeals and Interferences has jurisdiction over this appeal under 35 U.S.C. § 134. *See also*, 37 CFR § 41.31 and MPEP § 1204.

IV. <u>Status of Claims</u>

Claims 19-21, 26-28, 30, 32-34, 48, 56, 58, 66, and 69 are currently pending in the present application. Claims 19-21, 26-28, 30, 32-34, 48, 56, 58, 66, and 69 stand rejected as indicated in the Office Action mailed on October 22, 2008. Claims 50, 53, 54, and 59-64 have been withdrawn from consideration. Claims 19-21, 26-28, 30, 32-34, 48, 56, 58, 66, and 69 are the subject of this appeal.

V. <u>Status of Amendments</u>

Claims 19-21, 26-28, 30, 32-34, 48, 56, 58, 66, and 69 stand as presented in Applicants' response dated April 11, 2008 and are attached hereto in the appendix. *See* Section X, *infra*. No amendment was submitted subsequent to the final rejection of the claims.

VI. Summary of Claimed Subject Matter

Applicants' claimed invention relates to an apparatus comprising a compressor including a shell and a compression mechanism disposed within the shell. The apparatus includes a control block and a memory accessible to the control block. The memory stores a first image of configuration data. The configuration data includes compressor identification data, compressor application data, compressor event history data, and compressor control data including at least one compressor set point and at least one compressor pressure limit. A system master is in communication with the control block. The system master sends a configuration data request to the control block and receives a copy of the first image of the configuration data from the control block in response to the request. The system master constructs a new image of configuration data and sends the new image to the control block. The new image of configuration data also includes compressor identification data, compressor application data, compressor event history data, and compressor control data including at least one compressor set point and at least one compressor pressure limit. The control block receives the new image and stores the new image in place of the first image.

One key feature of Applicants' invention is the receiving of a copy of a first image of configuration data, the constructing of a new image of configuration data, and the storing of the new image in place of the first image, the configuration data including compressor identification data, compressor application data, compressor event history data, and compressor control data including at least one compressor set point and at least one compressor pressure limit. As can be appreciated, the images represent an entire snapshot of the recited configuration data components to be stored and passed together from the control block to the system master and vice-versa. The use of the images, as opposed to merely storing and passing the individual data values ad hoc, allows the entire image of configuration data to be copied and sent from the control block to the system master which can then construct a new image of configuration data to be sent back to the control block and stored in place of the first image.

One advantage of the claimed arrangement is that it reduces the amount of operations that need to be performed by the system master and control block. The claimed arrangement also ensures that all of the data having various data types correspond to a single point in time.

An explanation of the subject matter defined in independent

claim 69 and 32 follows. Because the original Specification, as filed, did not include paragraph numbers, and for ease of reference, citations to the specification are made with reference to the paragraph and line numbers of the published application, U.S. Pub. No. 2002/0018724.

CLAIM 69

An apparatus comprising:

a compressor (Fig. 1) including a shell (Fig. 1, Ref. 12) and a compression mechanism (Fig. 1, Ref. 58, 70) disposed within said shell;

a control block associated with said compressor and mounted on said shell (Fig. 3, Ref. 84; Fig. 5, Ref. 138; para. [0033], lines 1-10);

a memory accessible to said control block and associated with said compressor (para. [0056] lines 5-6), said memory storing a first image of configuration data for said compressor (para. [0056], lines 5-7, said configuration data including compressor identification data (paras. [0065]-[0067]), compressor application data(paras. [0068] and [0069]), compressor event history data (para. [0099]), and compressor control data including at least one compressor set point

(paras. [0078], [0079], [0084], [0085], [0086], [0087], [0093], [0094])
and at least one compressor pressure limit (para. [0093], [0094],
[0106]);

a system master in communication with said control block that
sends a configuration data request to said control block (Figs. 11-14;
para. [0064], lines 1-11), receives a copy of said first image of said
configuration data from said control block in response to said request
([para. [0064], lines 1-11), constructs a new image of configuration
data for said compressor ([para. [0064] lines 7-10), said new image
including compressor identification data (paras. [0065]-[0067]),
compressor application data(paras. [0068] and [0069]), compressor
event history data (para. [0099]), and compressor control data
including at least one compressor set point (paras. [0078], [0079],
[0084], [0085], [0086], [0087], [0093], [0094]) and at least one
compressor pressure limit (para. [0093], [0094], [0106]), and sends
said new image to said control block (para. [0064], Lines 7-11);

wherein said control block receives said new image from said
system master and stores said new image in said memory in place of
said first image (para. [0064], lines 7-11).

CLAIM 32

The apparatus of Claim 69 wherein said compressor is initially configured by said control block receiving said new image of compressor data from said system master(para. [0064], lines 1-11).

VII. Grounds of Rejection to be Reviewed on Appeal

Claims 19-21, 26-28, 30, 32-34, 48, 56, 58, 66, and 69 stand rejected under 35 U.S.C. § 103 as being unpatentable over Centers et al., U.S. Pat. No. 6,471,486 and Culp III et al., U.S. Pat. No. 5,975,854. *See* Office Action, mailed 10/22/2008. This ground for rejection is presented for review on appeal.

VIII. Statement of Facts

The present application was filed on October 15, 2001 and is a divisional of Application No. 09/515,802, now patented as U.S. Patent No. 6,302,654.

On October 22, 2008, a Final Office Action was entered, with a final rejection under 35 U.S.C. § 103 of all pending claims.

On January 22, 2009, Applicants submitted a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences, with the applicable fee, and a Pre-Appeal Brief Request for Review.

On August 4, 2009, a Notice of Panel Decision from Pre-Appeal Brief Review was entered, directing Applicants to proceed to the Board of Patent Appeals and Interferences.

IX. Arguments

1. THE COMBINATION OF CENTERS ET AL. AND CULP III ET AL. DOES NOT RENDER CLAIM 69 OR THE CLAIMS DEPENDING THEREFROM OBVIOUS UNDER 35 U.S.C. § 103(a).

Claims 69, 19-21, 26-28, 30, 32-34, 48, 56, 58, and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Centers et al. (U.S. Pat. No. 6,471,485) (hereinafter "Centers") in view of Culp III et al. (U.S. Pat. No. 5,975,854) (hereinafter "Culp"). Applicants respectfully submit that the combination of Centers and Culp fails to render independent claim 69 obvious. In particular, (i) the combination fails to teach a system master that receives a copy of a first image of configuration data, including the recited data contained in the configuration data, that constructs a new image of configuration data, and that sends the new image to a control block that stores the new image in place of the first image; (ii) the modification of Centers, as proposed by the Examiner, would render the Centers reference unsatisfactory for its intended purposes and change the Centers principle of operation; and (iii) the Examiner's rejection suffers from impermissible hindsight reasoning.

A.   The combination of Centers and Culp fails to teach a system master that receives a copy of a first image of configuration data, including the recited data contained in the configuration data, that constructs a new image of configuration data, and that sends the new image to a control block that stores the new image in place of the first image.

Applicants respectfully submit that the combination of Centers and Culp does not teach a first image of the configuration data, as recited throughout the claims. In particular, claim 69 recites "said memory storing <u>a first image of configuration data</u> for said compressor" (emphasis added). Claim 69 further recites "a system master in communication with said control block that sends a configuration data request to said control block, <u>receives a copy of said first image of said configuration data</u> from said control block in response to said request, <u>constructs a new image of configuration data for said compressor</u>…and <u>sends said new image to said control block</u>." (emphasis added). Finally, claim 69 recites "<u>said control block receives said new image</u> from said system master <u>and stores said new image in said memory in place of said first image</u>." (emphasis added).

In the Final Office Action, the Examiner agrees that the cited art fails to show a system master that sends a configuration data request

to a control block associated with a compressor, that receives a copy of an image of configuration data from the control block in response to the request, that constructs a new image of configuration data for the compressor, and that sends the new image to the control block for storage in the memory in place of the first image, as recited by independent claim 69. *See* Office Action, 10/22/2008, p. 4. Specifically, the Examiner states:

> Centers '486 does not specifically state that the system master makes request to the control block for an image containing the noted information or set forth that the modified or new image is sent back to the control block and stored in the original location within the memory.

See Office Action, 10/22/2008, p. 4.

The Examiner instead argues that these recited limitations would be an obvious modification of Centers, stating:

> At the time of the invention it thus would have been obvious to simply receive the full image of the data at the system master and return it to the memory after modification and to store the new image of the data in the same location within the memory as corresponding old previous version of the data. The transmission of a single image containing the data would minimize the number of operations and ensure that the data represents the conditions at a single point in time.

See Office Action, 10/22/2008, pp. 4-5.

As discussed in further detail below, the Examiner has failed to show a proper and explicit motivation for modifying the Centers reference in the manner suggested. *See* Section IX.1.B., *infra*.

Beyond the above comments, the Examiner does not point to an instance where Centers stores, copies, sends, receives, or constructs anew, an image of configuration data. Rather, it appears that the Examiner has touted the advantages of a single image, namely, "…a single image containing the data would minimize the number of operations and ensure that the data represents the condition at a single point in time." *See* Office Action, 10/22/2008, pp. 4-5. Thus, in outlining the reasons for the rejection, the Examiner admits that neither Centers or Culp teaches the claimed memory storing a first image of configuration data, and also lists two technical advantages that the apparatus recited in claim 69 has over the cited references. Noting the technical advantages of the claimed apparatus cannot form the basis alleged motivation to modify prior art references that do not, as admitted, teach the claimed apparatus.

For example, Centers is generally directed to a compressor system that has a processor, a memory, and a modem. Centers describes an EEPROM (Electrically Erasable Programmable Read

Only Memory) storing status information, operating parameters and other data. *See* Centers, Col. 20, lines 52-68. Nowhere in describing the EEPROM, or anywhere else in Centers, is it taught or suggested to compile the various data into a single image and to store the single image in memory. Thus, Centers cannot be read to teach a memory "storing a first image" or the control block "stores said new image in said memory in place of said first image."

Similarly, Centers does not teach or otherwise suggest the sending or receiving of an image. In Centers, the modem is used to transmit and receive various data types, such as load and unload pressures, auto/dual timeout values and package configurations. Centers, however, does not contemplate compiling the various data types into a single image for transmission. Thus, Centers cannot be read to teach "receives said first image of said configuration data," or "sends a new image of configuration data," as recited in the claims.

Culp does not cure the deficiencies of Centers. The Examiner relies on Culp to teach the limitations directed to a vibration sensor and control circuits mounted on the shell of the compressor. Culp is directed to a protection module that provides temperature, phase, and vibration protection. *See* Culp, Col. 1, lines 5-9. Culp is silent as

to a memory or a transmission means, and thus cannot be relied to teach the limitations of claim 69 discussed above. As such, Culp cannot cure the difficiencies of Centers.

Accordingly, Applicants respectfully submit that the combination of Centers and Culp fails to render the above-stated reference obvious. As such, Applicants respectfully request that the Board reconsider and reverse the Examiner's rejection of claim 69 and the claims depending therefrom.

B.   The Examiner has failed to show a proper motivation for modifying the Centers reference.

Applicants respectfully submit that the Examiner's modification of Centers would render the Centers system unfit for its intended purpose. Centers is directed to a communication system that permits remote access of compressor operating parameters for purposes of "real time operations monitoring," "maintenance and service diagnosis," "fine tuning," "optimization," and "evaluation." Centers, Col. 14, line 64-Col. 15, line 2. In Centers, once a connection is made, a remote PC can access the information of the electronic control system, including operating parameters, service information, and shut down records so that service problems can be diagnosed

and "fine tuning" adjustments can be made. Centers, Col. 15, lines 5-7 and Col. 25, Line 58 - Col. 26, Line 4.

The Examiner argues that "[t]he transmission of a single image containing the data would minimize the number of operations and ensure that the data represents the conditions at a single point in time." *See* Office Action, 10/22/2008, p. 5. Further, the Examiner argues that "[t]his placement of the new image in the location of the old would allow the system to continue to operate without requiring the control block to reassign new memory addressed through the controller software for the location of each piece of data within the memory. *See* Office Action, 10/22/2008, p. 5.

Applicants respectfully submit that the Examiner's proposed modification would render Centers "unsatisfactory for its intended purpose" and would "change the principle of operation of the reference." *See* MPEP § 2143.01 ("If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification" and "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the

references are not sufficient to render the claims *prima facie* obvious").

When monitoring and updating individual parameters, the serviceperson would be concerned only with the current values of the specific parameters, rather than an image of all data. As such, the service person would use the Centers system to ensure that the requested parameter value is the most current value. The Examiner's proposed modification to Centers would provide the service person with a time dependent snapshot of all of the systems parameters, but would not necessarily provide the most current value for the requested parameter, thereby defeating the primary objective of the Centers' system.

As explicitly stated in the reference, the Centers system is designed to allow communication of operating parameters "for purposes of" real time monitoring, maintenance and service diagnosis, and fine tuning adjustment and optimization. *See* Centers, Col. 14, line 64-Col. 15, line 2 and Col. 25, Line 58-Col. 26, Line 4. In other words, the Centers reference is directed to a system for allowing a serviceperson to remotely access operating parameters

and fine tune, evaluate, and adjust the operating parameters. *See*
Centers, Col. 25, line 58-Col. 26, line 12.

Contrary to the explicit purpose of the reference, the Examiner
proposes a modification to additionally include copying of a "full
image" of the data for receipt at the system master. *See* Office
Action, 10/22/2008, p. 5. This modification, however, would render
the Centers system unsatisfactory for its intended purpose. Centers
describes a serviceperson remotely performing real time monitoring,
diagnosis, fine tuning, and adjustment of a compressor system.
Thus, the serviceperson would only be concerned with the specific
parameters under evaluation and would not want to sacrifice the time
or undergo the extra steps needed to unnecessarily copy a full image
of all configuration data to a system master, construct a new image of
configuration data, and then send the new image back to the
compressor. Indeed, the additional time and steps required to
communicate and transfer all of the data from the compressor to the
system master would add unneeded complexity to the task and
defeat the "real time" nature of the monitoring, fine tuning, and
adjusting that is the focus of the Centers reference.

Thus, the very advantages realized by Applicants' invention would render the Centers system unfit for its intended purpose when applied thereto. Accordingly, Applicants respectfully submit that the Examiner's modification of the Centers reference is improper and cannot serve as a basis of the rejection under 35 U.S.C. § 103(a). Applicants, therefore, respectfully request reconsideration and reversal of the rejection of claim 69 and the claims depending therefrom.

C.   The Examiner's rejection of the claims suffers from a hindsight analysis.

It is respectfully submitted that the Examiner's rejection suffers from impermissible hindsight reasoning. In the Final Office Action, the Examiner states:

> At the time of the invention it thus would have been obvious to simply receive the full image of the data at the system master and return it to the memory after modification and to store the new image of the data in the same location within the memory as corresponding old previous version of the data. The transmission of a single image containing the data would minimize the number of operations and ensure that the data represents the conditions at a single point in time.

> *See* Office Action, 10/22/2008, pgs. 4-5.

The Examiner, however, does not provide any support for this assertion, or citation to evidence of record, but instead cites the

advantages of Applicants' claimed apparatus over Centers as a basis for the rejection, as discussed above. *See* Section IX.1.B, *supra*.

Essentially, the Examiner has given in to the "temptation to read into the prior art the teachings of the invention in issue." *See Graham v. John Deere Co.*, 383 U.S. 1, 36 (1966). As taught in the claims, the system master constructs a new image of configuration data for the compressor and sends the new image to the control block, which in turn stores the new image in the memory. This provides a marked advantage when, for example, configuring a replacement compressor or initializing a compressor. As the Examiner notes, Applicants' use of an image of configuration data reduces the computational complexity of the system, i.e., reduces the amount of operations, and ensures that the configuration data is accurate, i.e. data represents the conditions at a single point in time. *See* Office Action, 10/22/2008, p. 5.

In designing any system, two issues encountered are reducing the computational complexity and increasing the accuracy and reliability of data. Applicants' use of an image of configuration data, as opposed to the teachings of the prior art, advance both. Yet, the Examiner has used the realized benefits of Applicants' recited

apparatus as the basis of the obviousness rejection. Accordingly, Applicants respectfully submit that the Examiner has read the teachings of the invention into the prior art and has succumbed to hindsight analysis to support the obviousness rejection. Accordingly, Applicants respectfully request that the Board reverse the Examiner's rejection of the claim 69 and the claims depending therefrom.

2. THE COMBINATION OF CENTERS ET AL. AND CULP III ET AL. DOES NOT RENDER CLAIM 32 OBVIOUS UNDER 35 U.S.C. § 103(a).

Applicants respectfully submit that the combination of Centers and Culp does not teach "the apparatus of Claim 69 wherein said compressor is initially configured by said control block receiving said new image of compressor data from said system master." As a threshold matter, Applicants note that claim 32 recites "said new image of compressor data" when it should have recited "said new image of configuration data." Applicants note that this is a typographical error that Applicants will correct, pending the outcome of this appeal.

That issue aside, the prior art does not teach any image of compressor data, and Applicants incorporate the arguments made in favor of claim 69 to the present section. Further, Applicants submit

that Centers does not teach initially configuring a compressor using a new image from a system master.

Even *assuming arguendo*, that the Examiner's rejection of claim 69 is upheld, the Centers reference does not additionally teach initially configuring a compressor via a new image of configuration data received from a system master, the configuration data containing the specific data recited by claim 69. Rather, Centers states "compressor package parameters can be configured from the remote site." Centers et al., Col. 25, Line 66 to Col. 26, Line 1. After examining the data transmitted by compressor package system 3000, the remote operator can adjust operating parameters for improved compressor package operation." *See* Centers, Col. 25, line 66-Col. 26, line 4. This suggests that a previously configured compressor package may be reconfigured remotely, by resetting certain parameters. This falls within the "fine tuning" aspects of the Centers disclosure.

Centers, however, does not state that a compressor package can be initially configured using a new image. Again, this highlights the distinction between transferring images and transmitting certain package parameters individually for fine tuning. In the present

application, a newly added compressor may be initially configured using the created new image, so that the new compressor's operation mirrors that of the compressor being replaced.

Applicants further submit that Culp cannot cure the deficiencies of Centers et al. As previously stated, Culp is directed to a protection module and does not contemplate a memory or a system master transmitting a new image of configuration data a control block of the compressor. Thus, Culp is not relevant to the claim at issue.

Because neither Center, nor Culp, teach or otherwise suggest that the "compressor is initially configured by said control block receiving said new image of compressor data from said system master," Applicants respectfully request the reconsideration and reversal of the rejection of claim 32.

For the foregoing reasons, the combination of Center and Culp fails to render claim 69 or the claims depending therefrom obvious. As such, Applicants respectfully request that the Board reconsider and reverse the Examiner's rejection of the claims.

X. Claims Appendix

1-18. (Cancelled)

19. (Rejected) The apparatus of Claim 69 further comprising a sensor in communication with said compressor, said sensor providing a signal to said control block indicative of an operating characteristic of said compressor, and said control block being operable to transmit said signal to said system master.

20. (Rejected) The apparatus of Claim 69 further comprising a plurality of sensors in communication with said compressor, each of said plurality of sensors providing a signal to said control block indicative of an operating characteristic of said compressor.

21. (Rejected) The apparatus of Claim 20 wherein said control block creates said compressor event history data from said signals of said sensors.

22 - 25. (Cancelled)

26.　(Rejected)　The apparatus of Claim 69 wherein said control block includes a microprocessor.

27.　(Rejected)　The apparatus of Claim 26 wherein said microprocessor functions as a gateway for communicating with said system master.

28.　(Rejected)　The apparatus of Claim 26 wherein said microprocessor controls communication between said control block and said system master.

29.　(Cancelled)

30.　(Rejected)　The apparatus of Claim 69 wherein said control block is operable for selective control by said system master.

31.　(Cancelled)

32.   (Rejected)   The apparatus of Claim 69 wherein said compressor is initially configured by said control block receiving said new image of compressor data from said system master.

33.   (Rejected)   The apparatus of Claim 69, further comprising a plurality of sensors integrated internally into said shell of said compressor and in communication with said control block.

34.   (Rejected)   The apparatus of Claim 69 wherein said control block includes a vibration sensor.

35 - 47.   (Cancelled)

48.   (Rejected)   The apparatus of Claim 69 wherein said control block includes a microprocessor that controls communication of said first image between said control block and said system master.

49.   (Cancelled)

50.   (Withdrawn)   The apparatus of Claim 53 wherein said operating parameter includes vibration.

51 -52. (Cancelled)

53.   (Withdrawn)   The apparatus of claim 69 further comprising a plurality of sensors monitoring an operating parameter of at least one of a motor of said compressor and said compression mechanism.

54.   (Withdrawn)   The apparatus of claim 69 wherein said compressor identification data includes at least one of compressor model data and compressor serial number data.

55.   (Cancelled)

56.   (Rejected)   The apparatus of claim 69 wherein said compressor application data includes at least one of application type data, application temperature range data, refrigerant code data, oil code data, and oil charge data.

57.   (Cancelled)

58.   (Rejected)   The apparatus of claim 69 wherein said compressor control data includes anti-short cycle time data.

59.   (Withdrawn) The apparatus of claim 69 wherein said compressor control data includes at least one of discharge pressure cut-in data, discharge pressure cut-out data, discharge pressure sensor option data, discharge trip time data, discharge multiplier data, discharge divider data, and discharge temperature cut-out data.

60.   (Withdrawn) The apparatus of claim 69 wherein said compressor control data includes at least one of oil add set point data, oil stop add set point data, oil trip set point data, oil on time data, oil off time data, and oil add period data.

61.   (Withdrawn)   The apparatus of claim 69 wherein said compressor control data includes at least one of shake limit data and shake count data.

62. (Withdrawn) The apparatus of claim 69 wherein said compressor control data includes at least one of suction pressure low limit data, suction pressure high limit data, suction multiplier data, suction divider data, and suction pressure sensor option data.

63. (Withdrawn) The apparatus of claim 69 wherein said first image of configuration data includes customer information data.

64. (Withdrawn) The apparatus of claim 63 wherein said customer information data includes at least one of customer name data and customer model number data.

65. (Cancelled)

66. (Rejected) The apparatus of claim 69 wherein said event history data includes at least one of compressor cycles data, compressor on-time data, discharge pressure trips data, discharge temperature data, motor trips data, oil trips data, suction pressure limit trips data, shake limit trips data, and events since cleared data.

67 - 68. (Cancelled)

69.   (Rejected) An apparatus comprising:

a compressor including a shell and a compression mechanism disposed within said shell;

a control block associated with said compressor and mounted on said shell;

a memory accessible to said control block and associated with said compressor, said memory storing a first image of configuration data for said compressor, said configuration data including compressor identification data, compressor application data, compressor event history data, and compressor control data including at least one compressor set point and at least one compressor pressure limit;

a system master in communication with said control block that sends a configuration data request to said control block, receives a copy of said first image of said configuration data from said control block in response to said request, constructs a new image of configuration data for said compressor, said new image including

compressor identification data, compressor application data, compressor event history data, and compressor control data including at least one compressor set point and at least one compressor pressure limit, and sends said new image to said control block;

wherein said control block receives said new image from said system master and stores said new image in said memory in place of said first image.

XI. <u>Evidence Appendix</u>

No evidence, outside of the present record, is submitted or attached hereto.

XII. <u>Related Proceedings Appendix</u>

No copies of decisions rendered by a court or the Board are submitted, as no decisions rendered were identified in Section II, above.

XIII. Conclusion

It is believed that all of the grounds of the Examiner's incorrect rejections have been addressed.   Applicants therefore respectfully request a complete reversal of the Examiner's rejection.

Respectfully submitted,

Dated: __October 5, 2009__   By:___/MichaelMalinzak/_____
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